



Minnesota Department of Natural Resources

DNR Waters, 1200 Warner Road, St. Paul, MN 55106

Telephone: (651) 259-5845 Fax: (651) 772-7977

January 25, 2008

E-File

Honorable Anne Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington D.C. 20423

Re: UNION PACIFIC RAILROAD COMPANY ABANDONMENT
DOCKET NUMBER AB-33-255; CARVER & SCOTT COUNTIES, MINNESOTA

Dear Ms. Quinlan:

The Minnesota Department of Natural Resources, Division of Waters has jurisdiction over waters of the state. Minnesota State Rules, part 6115.0230, Subp. 2, requires a Work in Public Waters Permit for the abandonment of any public water crossing structure in the State of Minnesota. Because of the bridge crossing now owned by the Union Pacific Railroad Company crosses over the Minnesota River, at Milepost 36.17, abandonment would require the approval of this Department. In addition, Logjams have historically appeared at this site; and the railroad maintains responsibility for clearing the logjams at this site.

The bridge at Milepost 36.17 is in a state of deterioration and may ultimately need to be removed. At a minimum, we would like to see that the Union Pacific Railroad Company be held responsible for any necessary demolition and debris removal and any related costs.

We have seen examples where companies abandon a property and the structure remains in the public water, nobody wants or can afford to maintain it, the structure deteriorates over time, and no government wants to or can afford to take on the task of repair or removal. To protect the waters of the state, Union Pacific Railroad Company must maintain responsibility for the bridge removal/maintenance and removal of the tree debris before abandonment.

Sincerely

Dale E. Homuth
Regional Hydrologist

- c: Joe Kurcinka, Regional Director
Kent Lokkesmoe, Director
Gloria Johnson, Lands and Minerals
Molly Shodeen, Area Hydrologist

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